40/588791 IAP11 Rec'd PCT/PTO 09 AUG 2006

Docket No.: 065933-0294 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Mitsuru SUZUKI, et al. : Confirmation No.: Not Yet Assigned

Application No.: Not Yet Assigned : Group Art Unit: Not Yet Assigned

Filed: August 09, 2006 : Examiner: Not Yet Assigned

For: APPARATUS AND METHOD FOR CONTROLLING IMAGE CODING MODE (as

amended)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed with the application and no certification or fee is required.

A copy of the foreign search report is attached for the Examiner's information. Please note this is a PCT application in the entry of the National Phase in the U.S. and copies of the references cited were transmitted by WIPO and are believed to be in the file of the above identified application and readily available to the Examiner. Therefore it is

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believed that Applicants have met all requirements regarding duty of disclosure under 37 CFR 1.56. Acknowledgement and consideration of these documents are respectfully requested.

However, to ensure that these references are available to the Examiner, we are providing copies of these references herewith. Since the Search Report was from the U.S. JPO or EPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above identified application and readily available to the Examiner.

The relevance of JP 8-154250 A is discussed in the present specification.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Please recognize our Customer No. 20277

as our correspondence address.

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Date: August 9, 2006

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.